

Form B9I (Chapter 13 Case)

Case Number **10-50058**

UNITED STATES BANKRUPTCY COURT
District of South Dakota

Notice of Chapter 13 Bankruptcy Case, Meeting of Creditors & Deadlines

The debtor(s) listed below filed a chapter 13 bankruptcy case on 2/25/10.

You may be a creditor of the debtor(s). **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or online using CM/ECF (contact the clerk's office for more information regarding CM/ECF). NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

Debtor(s):

Daryl Eugene Moeller
3004 Fischer Ct
Rapid City, SD 57703-5507

Case Number:
10-50058

Social Security/Taxpayer ID Numbers:
xxx-xx-3766

Attorney for Debtor(s):

Rosemary E. Cotton
1719 W Main
Rapid City, SD 57702
Telephone number: 605-394-5727

Bankruptcy Trustee:

Dale A. Wein
Bankruptcy Trustee
PO Box 1329
Aberdeen, SD 57402-1329
Telephone number: 605-225-0100

Meeting of Creditors:

Date: **March 30, 2010**Time: **10:00 AM (Mountain)**

Location: **RD TN Facility – School of Mines,
Classroom Building, Room 109, 501 E. St
Joseph St., Rapid City, SD 57702**

Deadlines:

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

To File a Proof of Claim

For all creditors (except a governmental unit): 6/28/10

For a governmental unit: 8/24/10 [except as otherwise provided in
Fed. R. Bankr. P. 3002(c)(1)]

To Object to Exemptions:

Thirty (30) days after the *conclusion* of the meeting of creditors.

Hearing on Confirmation of Plan

Date: May 18, 2010

Time: 02:15 PM (Central)

Location: By telephone with Trustee, Attorney for
Debtor(s), Attorney for Objector(s)

To Object to Plan:

You will receive a copy of the proposed plan from Debtor(s).

4/23/10

To File a Complaint to Determine Dischargeability of Certain Debts:

6/1/10

Foreign Creditors

A creditor to whom this notice is sent at a foreign address should read the information under "Claims" on the reverse side.

Creditors May Not Take Certain Actions:

The filing of the bankruptcy case automatically stays certain collection and other actions against the debtor(s) and the property of the debtor(s) and certain codebtors. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor(s) can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult an attorney to determine your rights in this case.

Address of the Bankruptcy Clerk's Office:

225 S. Pierre St., Room 203
Pierre, SD 57501-2463
Telephone: 605-945-4460
www.sdb.uscourts.gov

For the Court:

Clerk of the Bankruptcy Court
Frederick M. Entwistle

Hours Open: Monday – Friday 8:00 AM – 5:00 PM

Date: 2/25/10

SEE OTHER SIDE FOR IMPORTANT EXPLANATIONS.

EXPLANATIONS

Filing of Chapter 13 Bankruptcy Case	A bankruptcy case under chapter 13 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by the debtor(s) listed on the front side, and an order for relief has been entered. Chapter 13 allows an individual with regular income and debts below a specified amount to adjust debts pursuant to a plan. A plan is not effective unless confirmed by the bankruptcy court. You may object to confirmation of the plan and appear at the confirmation hearing. A copy of the proposed plan has been or will be mailed to you by the debtor(s) or the attorney for the debtor(s). The date, time, and location of the confirmation hearing on the proposed plan is on the front of this notice. If this information changes, you will receive a separate notice of confirmation hearing or an order. The debtor(s) will remain in possession of the debtor's(s') property and may continue to operate the debtor's(s') business, if any, unless the court orders otherwise.
Creditors May Not Take Certain Actions	Prohibited collection actions against the debtor(s) and certain codebtors are listed in §§ 362 and 1301 of the Bankruptcy Code. Common examples of prohibited actions include contacting the debtor(s) by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor(s); repossessing the debtor's(s') property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's(s') wages. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor(s) can request the court to extend or impose a stay.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor(s) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Claims	A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office. A secured creditor retains rights in its collateral regardless of whether that creditor files a Proof of Claim. If you do not file a Proof of Claim by the "Deadline to File a Proof of Claim" listed on the front side, you might not be paid any money on your claim from other assets in the bankruptcy case. To be paid you must file a Proof of Claim even if your claim is listed in the schedules filed by the debtor(s). Filing a Proof of Claim submits the creditor to the jurisdiction of the bankruptcy court, with consequences an attorney can explain. For example, a secured creditor who files a Proof of Claim may surrender important nonmonetary rights, including the right to a jury trial. Filing Deadline for a Foreign Creditor: The deadline for filing claims set forth on the front of this notice applies to all creditors. If this notice has been mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.
Discharge of Debts	The debtor(s) is (are) seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor(s). If you believe a debt owed to you is not dischargeable under Bankruptcy Code § 523(a)(2), (4), or (6), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and any required filing fee by that deadline.
Exempt Property	The debtor(s) is (are) permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors, even if the debtor's(s') case is converted to chapter 7. The debtor(s) must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe an exemption claimed by the debtor(s) is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any paper you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's(s') property and debts and the list of property claimed as exempt, at the bankruptcy clerk's office. You may also review them online, using CM/ECF (contact the clerk's office for more information regarding CM/ECF).
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.
Foreign Creditors	Consult an attorney familiar with United States bankruptcy law if you have any questions regarding your rights in this case.
Debtor Identification	Important notice to individual debtors: All individual debtors must provide picture identification and proof of social security number to the trustee at the meeting of creditors. Failure to do so may result in the dismissal of your case.

— Refer to Other Side for Important Deadlines and Notices —